

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.28228 of 2006

Date: 03.01.2006

Between:

Sk.Afsar.

.. PETITIONER

AND

The Managing Director and another.

.. RESPONDENTS

ORDER:

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The petitioner claims that he has been engaged as a Contract Labour by a Labour Contractor, by name Sk.Ghouse. According to him, the Labour Contractor was assigned different categories of works by the erstwhile Andhra Pradesh State Electricity Board. Claiming benefit under B.P.Ms.Nos.36 and 37, dated 18.05.1997, the petitioner submitted an application for his absorption, to the respondents. The application was rejected vide letter dated 10.05.1999. Thereupon, the petitioner filed W.P.No.16227 of 2004 before this Court. The Writ Petition was disposed of, setting aside the letter, dated 10.05.1999, and directing the respondents herein, to consider the case of the petitioner afresh. Acting on the directions issued by this Court, the 1st respondent considered the case of the petitioner and rejected the same through letter, dated 17.12.2004. The petitioner challenges the same in this Writ Petition.

Heard the learned counsel for the petitioner and the learned Standign Counsel for the respondents.

A perusal of the letter, dated 17.12.2004, discloses that the 1st respondent furnished several reasons while rejecting the case of the petitioner. It was pointed out that the petitioner was not employed at the relevant point of time and that the alleged engagement was not against the prohibited categories. The genuinity of the Service Certificate issued by the Labour Contractor was also doubted. When so many disputed questions exist, this Court cannot undertake adjudication of the same. The petitioner can effectively work out his remedies before the Labour Court by instituting proceedings under the relevant provisions of law.

Therefore, the Writ Petition is disposed of, leaving it open to the petitioner to approach the Labour Court by instituting proceedings under the relevant provisions of law. As and when such Industrial Dispute is raised by the petitioner, the concerned Labour Court shall dispose of the same as expeditiously as possible. There shall be no order as to costs.

03.01.2006

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